

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 7
	:	
KOSSOFF PLLC,	:	Case No. 21-10699 (DSJ)
	:	
Debtor.	:	
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ALBERT TOGUT, Not Individually but Solely in His	:	
Capacity as Chapter 7 Trustee of the Estate of Kossoff	:	
PLLC,	:	
	:	Adv. Pro. No. 23-01080 (DSJ)
Plaintiff,	:	
	:	
v.	:	
	:	
BRUCE BARASKY,	:	
	:	
Defendant.	:	
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**ORDER DIRECTING DEFENDANT'S
APPEARANCE AT PRE-TRIAL CONFERENCE**

This Court entered a Scheduling Order dated February 16, 2024 [Adv. Pro. Docket No. 32] which directed Albert Togut, not individually but solely in his capacity as chapter 7 trustee of the estate of Kossoff PLLC (the “Trustee”) and the plaintiff in the above-captioned adversary proceeding (the “Adversary Proceeding”) and defendant Bruce Barasky (“Defendant”) to, *inter alia*, appear at a status conference for the Adversary Proceeding on September 18, 2024 (the “Status Conference”); and the Court having conducted the Status Conference, at which the Trustee appeared by his counsel, but Defendant failed to appear; and Karamvir Dahiya, counsel of record for Defendant, having informed the Court that he has been temporarily suspended from the practice of law effective July 25, 2024, and no counsel having been substituted in his place or otherwise appearing for Defendant; and the Trustee having

advised the Court that he has made repeated attempts to cause Defendant's prospective new counsel to participate in the Adversary Proceeding by, among other things, agreeing on a briefing schedule for Defendant's motion to dismiss [Adv. Pro. Docket No. 5], which was remanded to this Court by Order of the United States District Court for the Southern District of New York [Adv. Pro. Docket No. 36]; and it appearing that good and sufficient notice of the Status Conference was given to Defendant and that no other or further notice was required; and upon the record made during the Status Conference and all of the prior pleadings and proceedings had herein; and after due deliberation thereon, it is hereby

ORDERED, that the Status Conference is adjourned to **October 16, 2024 at 10:00 A.M. Eastern Time** (the "Continued Status Conference"); and it is further

ORDERED, that Defendant is directed to appear at the Continued Status Conference either in person or by retained counsel; and it is further

ORDERED, that in the event Defendant retains new counsel to represent him in the Adversary Proceeding, Defendant's new counsel shall file a notice of appearance at least seven (7) days prior to the Continued Status Conference; and it is further

ORDERED, that in the event Defendant fails to fully comply with this Order, the Court will consider the imposition of appropriate sanctions and/or entry of a judgment against Defendant under Fed. R. Civ. P. 16 and 55, made applicable to this proceeding by Fed. R. Bankr. P. 7016 and 7055; and it is further

ORDERED, that within two business days after entry of this order, the Trustee shall e-mail a copy of this Order to Defendant's counsel of record and to any known prospective

counsel to Defendant, and he shall also serve this order by first-class mail to Defendant at his last-known address of record, presently 70 State Route 34, Colts Neck, New Jersey 07722.

Dated: New York, New York
September 19, 2024

s/ David S. Jones

HONORABLE DAVID S. JONES
UNITED STATES BANKRUPTCY JUDGE